

FORM PTO-1390 (Modified) (REV 11-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				P-4284	
				U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/623,926	
INTERNATIONAL APPLICATION NO. PCT/FR99/00768		INTERNATIONAL FILING DATE 4/01/99		PRIORITY DATE CLAIMED 3/4/98	
TITLE OF INVENTION SELF CLOSING BAG					
APPLICANT(S) FOR DO/EO/US Jean-Yves PORRET and Claude IMBERT					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> <li>8. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>9. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>10. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> </ol>					
Items 13 to 20 below concern document(s) or information included:					
<ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input type="checkbox"/> Certificate of Mailing by Express Mail</li> <li>20. <input checked="" type="checkbox"/> Other items or information:</li> </ol>					
Notification of Missing Requirements Under 35 U.S.C.371 in the United States Designated/Elected Office (DO/EO/US)					

03/01/2001 MNGUYEN 00000075 021666 09623926

01 FC:154  
02 FC:156130.00 CH  
130.00 CH

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR <b>09/623,926</b>		INTERNATIONAL APPLICATION NO. <b>PCT/FR99/00768</b>		ATTORNEY'S DOCKET NUMBER <b>P-4284</b>	
---	--	--	--	---	--

  

21. The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1,000.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b> <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b> <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				<b>CALCULATIONS    PTO USE ONLY</b>																															
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30				<b>\$0.00</b>																															
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">CLAIMS</th> <th style="width:25%;">NUMBER FILED</th> <th style="width:25%;">NUMBER EXTRA</th> <th style="width:15%;">RATE</th> <th style="width:15%;"></th> <th style="width:10%;"></th> </tr> <tr> <td>Total claims</td> <td style="text-align: center;">- 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$18.00</td> <td></td> <td style="text-align: center;"><b>\$0.00</b></td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">- 3 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$80.00</td> <td></td> <td style="text-align: center;"><b>\$0.00</b></td> </tr> <tr> <td colspan="4">Multiple Dependent Claims (check if applicable).</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><b>\$0.00</b></td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td style="text-align: center;"><b>\$130.00</b></td> </tr> </table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	- 20 =	0	x \$18.00		<b>\$0.00</b>	Independent claims	- 3 =	0	x \$80.00		<b>\$0.00</b>	Multiple Dependent Claims (check if applicable).				<input type="checkbox"/>	<b>\$0.00</b>	<b>TOTAL OF ABOVE CALCULATIONS =</b>					<b>\$130.00</b>	<b>\$130.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																
Total claims	- 20 =	0	x \$18.00		<b>\$0.00</b>																														
Independent claims	- 3 =	0	x \$80.00		<b>\$0.00</b>																														
Multiple Dependent Claims (check if applicable).				<input type="checkbox"/>	<b>\$0.00</b>																														
<b>TOTAL OF ABOVE CALCULATIONS =</b>					<b>\$130.00</b>																														
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>																															
<b>SUBTOTAL =</b>				<b>\$130.00</b>																															
Processing fee of <b>\$130.00</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30				<b>\$130.00</b>																															
<b>TOTAL NATIONAL FEE =</b>				<b>\$260.00</b>																															
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input checked="" type="checkbox"/>				<b>\$40.00</b>																															
<b>TOTAL FEES ENCLOSED =</b>				<b>\$300.00</b>																															
				Amount to be:	\$																														
				refunded	\$																														
				charged	\$																														

  

☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.  
  
☒ Please charge my Deposit Account No.    **02-1666**    in the amount of **\$300.00**    to cover the above fees.  
 A duplicate copy of this sheet is enclosed.  
  
☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No.    **02-1666**    A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Richard J. Rodrick  
 Becton, Dickinson and Company  
 1 Becton Drive  
 Franklin Lakes, New Jersey 07417-1880  
 (201) 847-7115

\_\_\_\_\_  
 SIGNATURE  
  
 Allen W. Wark  
 \_\_\_\_\_  
 NAME  
  
 30,503  
 \_\_\_\_\_  
 REGISTRATION NUMBER  
  
 February 21, 2001  
 \_\_\_\_\_  
 DATE



Address: ASSISTANT COM. CONTROLLER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
----------------------	-----------------------	------------------

09/623,926

PORRET

P-4284

INTERNATIONAL APPLICATION NO.

RICHARD J RODRICK  
BECTON DICKINSON AND COMPANY  
1 BECTON DRIVE  
FRANKLIN LAKES NJ 07417

5071

PCT/FR99/00768

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

04/01/99

03/04/98

DATE MAILED:

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

10/24/00  
Response: 10/4/01

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_.

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☒ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☒ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703)-3053744

BEST AVAILABLE COPY

